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Attorney Docket No. PF01869NA

REMARKS

Claims 4, 6 and 13, which remain in this application, have been amended.

Claim 13 has been allowed by the Examiner. However, Applicants have amended claim 13 to clarify the language of this claim. Approval of the change to claim 13 is respectfully requested.

The above Office Action states that claims 4 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,085,090 to Yee, et al. ("Yee, et al. patent") in view of U.S. Patent Publication No. 2001/0033556 to Krishnamurthy, et al. ("Krishnamurthy, et al. patent"). However, in view of other language in the Office Action, Applicants assume that the Examiner intended to reject claim 6 over the Yee, et al. patent in view of U.S. Patent No. 5,586,182 to Miyashita ("Miyashita patent"), and have responded below accordingly.

Claim 4 provides an apparatus comprising, *inter alia*, at least one sensor communicating sensor information to a communication device, wherein the communication device uses a service discovery protocol of a wireless ad hoc network to look for a fixed position sensor for the sensor information to reduce the power consumption level of the communication device in response to the sensor information. Support for the above added recitation is provided at page 4, lines 12 through 22, of the specification.

In contrast, the Yee, et al. patent and the Krishnamurthy, et al. patent do not describe or suggest a communication device that reduces its power consumption level in response to sensor

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information. The Yee, et al. patent describes an autonomous interrogatable information and position device having a power converter/controller that operates to place essential portions of the device in a "sleep" mode and cause a non-essential portions to turn-off when the device is idle. Certain components may shut-off unless a message is being transmitted or received (see col. 8, lines 16 through 35). The device can also initiate a call based on sensor information (see col. 5, lines 10 through 16). Based on these two sections of the Yee, et al. patent, the Examiner has presented the argument that, in response to sensor information, the device may initiate a call and activate components that were shut-off during an idle state. Although the Yee, et al. patent may suggest activating components in response to sensor information, the Yee, et al. patent does not describe or suggested *reducing* power consumption in response to sensor information. Col. 8, lines 20 through 24, clearly describes a sleep mode for essential portions and turning-off non-essential portions *when the device is idle*, not in response to sensor information as required by claim 4. Likewise, the Krishnamurthy, et al. patent does not describe or suggest reducing power consumption in response to sensor information, as required by claim 4. Therefore, claim 4 distinguishes patentably from the Yee, et al. patent, the Krishnamurthy, et al. patent, and the suggested combination of these patents.

Claim 6 provides an apparatus comprising, *inter alia*, at least one sensor, wherein the at least one sensor determines an orientation of a communication device and if the position of the wireless communication device is a first orientation, the communication device is placed in an active power mode and if the position of the communication device is a second orientation, the entire communication device is placed in a stand-by power mode to reduce overall power

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consumption of the communication device in response to the sensor information. Support for the above added recitation is provided at page 4, lines 23 through 34, of the specification.

Similar to the Yee, et al. patent and the Krishnamurthy, et al. patent, the Miyashita patent does not describe or suggest a communication device that reduces its power consumption in response to sensor information, as required by amended claim 6. Therefore, claim 6 distinguishes patentably from the Yee, et al. patent, the Miyashita patent, the Krishnamurthy, et al. patent, and any combination of these patents.

In addition, claim 6 as amended further distinguishes from these references. As acknowledged by the Examiner in the above Office Action, the Yee, et al. patent does not teach placing a communication device in a stand-by power mode based on orientation information received from a sensor, as required by claim 6.

The U.S. Patent No. 5,586,182 to Miyashita ("Miyashita patent") describes controlling the power supply to the *display portion* of a portable telephone. It does not describe or suggest placing an communication device in a stand-by power mode based on orientation information to reduce *overall* power consumption of the device, as required by claim 6. Therefore, claim 6 distinguishes patentably from the Yee, et al. patent, the Miyashita patent, and the combination of these patents.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of claims 4 and 6 are respectfully requested.

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CONCLUSION


No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
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